

Samuel J. Samaro, Esq.

David G. White, Esq.

Ellen W. Smith, Esq.

**PASHMAN STEIN**

A Professional Corporation

Court Plaza South

21 Main Street

Hackensack, New Jersey 07601

(201) 488-8200

Counsel for Plaintiff,

**N.V.E., Inc.,** and

Third-Party Defendants,

**Robert Occhifinto and Walter Orcutt**

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

N.V.E., INC.,

Plaintiff,

v.

JESUS J. PALMERONI a/k/a JOSEPH  
PALMERONI, RONALD SUMICEK,  
SUNBELT MARKETING, ABC  
CORPORATIONS 1-10, and JOHN  
DOES 1-10,

Defendants.

JESUS J. PALMERONI,

Third-Party Plaintiff,

v.

ROBERT OCCHIFINTO AND WALTER  
ORCUTT,

Third-Party Defendants.

CIVIL ACTION NO. 06-5455  
(GEB)

Document Electronically  
Filed

**NOTICE OF MOTION TO  
WITHDRAW REFERRAL OF THIS  
CASE TO BANKRUPTCY COURT,  
PURSUANT TO 28 U.S.C.  
§157**

**TO: NEIL GROSSMAN, ESQ.**

Bronstein, Gewirtz & Grossman, LLC  
144 N. Beverwyck Road, # 187  
Lake Hiawatha, New Jersey 07034

**C. RONALD STAFFORD, JR., ESQ.**

Collier & Basil, P.C.

475 Wall Street

Princeton, New Jersey 08540

**SIRS:**

**PLEASE TAKE NOTICE** that on Monday, August 17, 2009 or as soon thereafter as counsel can be heard, Plaintiff, N.V.E., Inc., and Third-Party Defendants, Robert Occhifinto and Walter Orcutt, by and through their attorneys, Pashman Stein, A Professional Corporation, shall move before the Hon. Garrett E. Brown, U.S.D.J. in the United States District Court for the District of New Jersey for an Order withdrawing the referral of this matter to the United States Bankruptcy Court, District of New Jersey.

**PLEASE TAKE FURTHER NOTICE** that in support of this motion, Plaintiff and Third-Party Defendants shall rely upon the accompanying Brief in support of this motion and Certification of David G. White.

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is attached.

PLEASE TAKE FURTHER NOTICE that plaintiff hereby requests oral argument.

**PASHMAN STEIN**

A Professional Corporation  
Attorneys for Plaintiff,  
N.V.E., Inc. and Third-Party  
Defendants, Robert Occhifinto  
and Walter Orcutt

Dated: July 23, 2009 By: s/ Ellen W. Smith  
**ELLEN W. SMITH**  
**SAMUEL J. SAMARO**  
**DAVID G. WHITE**  
Court Plaza South  
21 Main Street  
Hackensack, New Jersey 07601  
(201) 488-8200  
esmith@pashmanstein.com  
ssamaro@pashmanstein.com  
dwhite@pashmanstein.com